IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3683 of 2005

Between:

V.R.Jagataiah, S/o.Ramdas,
R/o.H.No.3-2-54, Petbasheerbad village, Qutubullapur Mandal Ranga Reddy Dist.

... PETITIONER

AND

The District Collector, Ranga Reddy District Lakdikapool, Hyderabad.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, particularly one in the nature of writ of Mandamus, declaring the inaction of the respondent in not implementing the orders issued by the Government in Memo.No.83777/Assn.III(3)/93-9, dated 03-04-1996 and Memo No.76019/Assn.V.2/2002-7, dated 29-04-2004 for grant of permission for alienating an extent of Ac.3.23 gts. of land belonging to the petitioner situate in Sy.No.25/1, Petbasheerabad village, Qutbullapur Mandal, Ranga Reddy District, as provided under the provisions of section 58-A of A.P. (T.A) Land Revenue Act, 1317 Fasli, as arbitrary, illegal, unjust and violative of Fundamental Rights guaranteed to the petitioner under the Constitution of India and consequently direct the respondent to forthwith grant permission to the petitioner for alienating the above said land and pass other order or orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.S.SRINIVAS REDDY

Counsel for the Respondent: GP FOR REVENUE

The Court at the stage of admission made the following:

-

-

-

-

ORDER:

This writ petition is filed questioning the alleged inaction of the respondent in implementing the orders issued by the Government in Memo.No.83777/Assn.III(3)/93-9, dated 03-04-1996 and Memo.No.76019/Assn.V.2/2002-7, dated 29-04-2004 for grant of permission for alienating an extent of Ac.3.23 guntas of land belonging to the petitioner situated in Sy.No.25/1 of Petbasheerabad Village, Qutubullapur Mandal, Ranga Reddy District.

The petitioner states that he made a representation dated 08-11-2004 to the respondent requesting him to grant permission as sought by him in terms of the orders of the Government in Memos dated 03-04-1996 and 29-04-2004, however, the respondent failed to consider and no orders have been passed, so far.

The learned Government Pleader, under instructions, states that since a Writ Appeal relating to the same subject matter is pending before this Court, the issue is *sub-judice*. That apart, since admittedly the land is assigned land, transfer of such land is not permissible under law.

Be that as it may, since the representation of the petitioner dated 08-11-2004 is pending before the respondent, without expressing any opinion as to the entitlement of the petitioner for transfer of the land as sought by him, the writ petition is disposed of with a direction to the respondent to consider the representation of the petitioner dated 8-11-2004 and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No order as to costs.

G. ROHINI, J

Dated: 28-02-2005

LSK

ASSISTANT REGISTRAR

To

1. The District Collector, Ranga Reddy District Lakdikapool, Hyderabad.

2. Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

3. Two C.D. copies.